

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN FRANCIS HANZEL,

Defendant.

DOCKET NO. 3:19 CR 81 - MOC

**UNOPPOSED MOTION TO CONTINUE
SENTENCING DATE**

John Hanzel, through undersigned counsel, hereby requests that this Court grant a brief continuance of the sentencing date currently scheduled for August 27, 2020. As grounds, therefore, it is averred:

1. Mr. Hanzel is before the Court charged by indictment with one count of Filing a False Tax Return, in violation of 26 U.S.C. §7206(1).
2. Mr. Hanzel pleaded guilty on November 8, 2019. He has remained on bond with no violations.
3. Mr. Hanzel is currently suffering from a respiratory illness (pneumococcal pneumonia) and is receiving treatment and taking prescribed medication. In light of this condition, his age, and the fact that correctional facilities in both Mecklenburg county and Catawba county have recently experienced outbreaks of the COVID-19 virus—which attacks the respiratory system—defense counsel submits that a brief continuance is warranted. Additionally, Mr. Hanzel would ask the Court to also consider the difficulty in allocuting while he is so ill.

4. Defense counsel has communicated with the assigned Assistant United States Attorney, Jenny Sugar, who has advised that the government does not oppose this motion.

WHEREFORE, the defendant respectfully requests a brief continuance of his sentencing date.

Respectfully submitted,

/s/ Nicole Lybrand
Nicole Lybrand
AR Bar No. 2010215
Assistant Federal Public Defender
129 West Trade Street, Suite 300
Charlotte, NC 28202
Phone: (704) 374-0720
Fax: (704) 374-0722
Email: Nicole_Lybrand@fd.org

Counsel for John Hanzel

Date: August 14, 2020